

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

BERNARD MILLER,	)	
	)	
Petitioner,	)	
	)	
v.	)	CASE NO. 1:16-CV-552-WKW
	)	[WO]
KARLA JONES, Warden, and	)	
STEVEN T. MARSHALL,	)	
Attorney General of the State of	)	
Alabama,	)	
	)	
Respondents.	)	

**ORDER<sup>1</sup>**

On July 5, 2018, the Magistrate Judge filed a Recommendation to which no timely objections have been made. (Doc. # 23.) Upon an independent review of the record and upon consideration of the Recommendation, it is ORDERED that the Recommendation (Doc. # 23) is ADOPTED and that Petitioner Bernard Miller’s 28 U.S.C. § 2254 petition for habeas relief (Doc. # 1) is DISMISSED AS MOOT since a more favorable decision on the merits would not entitle Mr. Miller to any additional relief.

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<sup>1</sup> By operation of Federal Rule of Civil Procedure 25(d), Steven T. Marshall has been “automatically substituted as a party” for the former Attorney General, Luther Strange.

Final judgment will be entered separately.

DONE this 9th day of August, 2018.

/s/ W. Keith Watkins  
CHIEF UNITED STATES DISTRICT JUDGE